

First, plaintiff has failed to make the showing required by Federal Rule of Civil Procedure 39(a)(2)(A) that he has made a good faith effort to confer with defense counsel in an effort to obtain the disclosure without seeking court action. Plaintiff has failed to file with the court the interrogatories and the responses thereto which led to the filing of this motion to compel. Plaintiff attention is directed to Federal Rule of Civil Procedure 5(d).

SO ORDERED, this 25th day of August 2005.

/s/ Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE